

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>ERIC O'NEAL</b>	)	<b>JURY TRIAL DEMANDED</b>
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No.</b>
	)	
<b>SUNRISE CREDIT SERVICES INC.,</b>	)	
<b>Defendant,</b>	)	
	)	
	)	

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

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**I. INTRODUCTION**

1. This is an action for actual and statutory damages brought by Plaintiff Eric O'Neal, an individual consumer, against Defendant, Sunrise Credit Services Inc., for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

**II. JURISDICTION AND VENUE**

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) 28 U.S.C 1331. The venue in this District is proper in that the Defendant Sunrise Credit Services Inc. transacts business in Atlanta, Georgia and the conduct complained of occurred in Atlanta, Georgia.

### **III. PARTIES**

3. Plaintiff is a natural person residing in Atlanta, Georgia. Plaintiff is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Plaintiff alleged “debt” as defined by the FDCPA, 15 U.S.C 1692a(5) at issue arose from a transaction entered into primarily for personal, family or household purposes.
5. Upon information and belief, Defendant Sunrise Credit Services Inc. is a New York corporation with its principal place of business located at 8 Corporate Ctr. Drive, Suite 300 Melville, NY 11747.
6. Defendant Sunrise Credit Services Inc. is engaged in the collection of debt from consumers using mail and telephone. Defendant regularly attempt to collect consumers’ debts alleged to be due to another.

### **IV. FACTS OF THE COMPLAINT**

7. Defendant Sunrise Credit Services Inc., (hereinafter referred to as “Debt Collector”) is a “debt collector” as defined by the FDCPA, 15 U.S.C 1692a(6).
8. On or about May 18, 2023, Plaintiff received a Short Message Service or SMS (also known as “text message”) at 10:56 AM EST and on May 19, 2023 at 11:30 AM EST from Defendant attempting to collect an alleged debt in the amount of \$1440.22 allegedly owed to AT&T/DIRECTV/UVERSE. However, on or about May 22, 2023 at 11:35 AM EST the Plaintiff sent a response message back stating that “I refuse to pay the debt” pursuant to 15 U.S.C 1692c(c).
9. On or about May 22, 2023, at 12:37 PM EST and on or about May 25, 2023, at 9:36 EST., Plaintiff received an additional SMS from Defendant from separate phone numbers as follows: “This message is from Sunrise, a debt collector. Phone 888-764-5818. Online

<https://scspay.com/DQmo8OcLoo7V> Reply help for info or STOP to end” which is in violation of 15 USC §1692c(c).

10. Plaintiff has suffered actual damages because of the illegal debt collection communications by Defendant in the form of anger, anxiety, decreased ability to focus on tasks while at work, frustration, amongst other negative emotions, as well as damages to FICO scores.

**V. FIRST CLAIM FOR RELIEF**  
**(Defendant Sunrise Credit Services Inc.,)**  
**15 U.S.C. §1692c(c)**

11. All preceding paragraphs are re-alleged.
12. The Debt Collector violated the FDCPA.
13. The Debt Collector’s violations include, but are not limited to, the following:  
The Debt Collector violated 15 U.S.C § 1692c(c) by failing to cease collection after receiving written notice.
14. As a result of the above violations of the FDCPA, the Defendant is liable to Plaintiff for actual damages, statutory damages, and costs.

**VI. JURY DEMAND AND PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Eric O’Neal respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Debt Collector for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C 1692k(2);

- D. Cost pursuant to 15 U.S.C 1692k(3);
- E. For deletion of tradeline.
- F. For such other and further relief as the Court may deem just and proper.

Respectfully submitted:

**THE HAWK LEGAL COLLECTIVE**  
1020 Piedmont Ave, STE 2113  
Atlanta, GA 30309  
Phone (404) 439-9310  
[Pleadings@thehawklegal.com](mailto:Pleadings@thehawklegal.com)

By: /s/ Naja Hawk  
**NAJA HAWK**